UNITED STATES DISTRICT COURTLED FOR THE DISTRICT OF MASSACHUSETTS

WILLIAM IRVING,
Plaintiff

V.

C. A. No. 05-10054-EFH

T-ELEVEN, INC., and THE
SOUTHLAND CORPORATION,
Defendants

SUGGESTION OF DEATH UPON THE RECORD UNDER F.R.C.P. 25(a)(1)

The plaintiff suggests upon the record, pursuant to Rule 25(a)(1), the death of WILLIAM IRVING, plaintiff, during the pendency of this action. A copy of Mr. Irving's Death Certificate is annexed, marked "A."

By his Attorney,

CARMEN L. DURSCE ESCUIRE

B.B.O. # 139340

100 Summer Street, Suite 3232

Boston, MA 02110-2104

617-728-9123 August 12, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail, on August 12, 2005.

ARMEN L. DURSO



COMMONWEALTH OF MASSACHUSETTS

I, Cheryl A. Johnson, the undersigned, hereby certify that I hold the Office of Town Clerk of the Town of Reading in the County of Middlesex, and the Commonwealth of Massachusetts; that the records of Births, Marriages and Deaths are in my custody and that the following is a true copy from the records, as certified by me.

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